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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

H 4304 PCT/USI hereby certify that this correspondence is being facsimile
transmitted to the Patent and Trademark Office on the date shown
below.Date March 8, 2004Signature Rosa A. StoweTyped or printed name Rosa A. Stowe

In re Application of

Christine Gaertner, et al.

Application Number

10/070,590

Filed

07/30/2002

For

**ORAL ADMINISTRATION OF β -CAROTENE,
LYCOPENE AND LUTEIN FOR HUMAN SKIN
PROTECTION**

Art Unit

1616

Examiner

Marina Lamm

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore,
the fee shown above is reduced by half, and the resulting fee is:

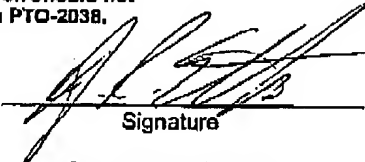
\$ _____

☐ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
I have enclosed a duplicate copy of this sheet.☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment
to Deposit Account No. 50-1177. I have enclosed a duplicate copy of this sheet. Order No. 04-0105.☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.**WARNING: Information on this form may become public. Credit card information should not
be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.☐ assignee of record of the entire interest.See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is
enclosed (Form PTO/SB/96)☒ attorney or agent of record.Registration Number 42,516☐ attorney or agent acting under 37 CFR 1.34(a).

Registration Number if acting under 37 CFR 1.34(a) _____


Signature**Aaron R. Ettelman**

Typed or printed name

610-628-1413

Telephone number

March 8, 2004

Date

23657

Customer Number

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple
forms if more than one signature is required, see below***☐ *Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.181. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 38 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.